

COLLABORATIVE MANAGEMENT OF LAND

Concept, Strategy and Guidance Notes for Pilot Testing

1. Introduction

The nation's population continue to grow at a higher speed than the rate of rehabilitation of degraded natural resources. The pressure is much greater on the country's finite terrestrial territory that has been subject of reallocation and redivision in response to growing demand for access and control of land and other natural resources. The increasing demand on public and private resources contribute to the complexity of today's problems that require new approaches (Bingham et al., 2015).

There is no need to re-invent the wheel in natural resource governance. What is needed is innovation of existing knowledge and practices. As Bingham et al. (ibid.) suggest, it may not even be a matter of government reform but a way of finding better governance mechanisms that combine the efforts of leaders, public and private institutions and citizens to solve problems with innovation, fairness and integrity. In fact, there are modern and traditional practices in management of commons to build upon.

The Manobo of Rosario (Agusan del Sur) have acquired property rights and territorial control of the 300-hectare Lake Kilobidan by virtue of the recognition of the Certificate of Ancestral Domain Title (CADT) No. 142 but they continue to respect the historical collective management of the lake together with their fellow Manobo people from the adjacent municipality of Bunawan.¹ In fact, most of the users of the lake are 50-60 Manobo households in Brgy. San Marcos (Bunawan) that belong to CADT No. 136 in Bunawan. The resource users from CADT 142 are 20-30 households from Brgy. Novelle.

The economic norms have been socially instituted. Although unwritten, the rules on benefit sharing and lake protection have been transmitted through generations and respected by the present generation. These norms form part of customary law but resource users have also adopted specific rules on fisheries resource extraction as enforced by the Bureau of Fisheries and Aquatic Resources (BFAR) and the Protected Area Management Office (PAMO) of the Agusan Marsh Wildlife Sanctuary (AMWS) Protected Area Management Board (PAMB).

During the last two decades, the Phillippine government has adopted governance modalities such as "open government", "all of government" and, since 2016, "all of nation" approaches in governance. Indeed, since the end of the Marcos dictatorship in 1986, the government has embarked on a series of legal and policy reforms that encourage citizen participation in governance. National government agencies, local government units, civil society organizations and peoples' organizations now comprise multi-stakeholder Protected Area Management Boards (PAMBs) in more 200 terrestrial protected areas that form of the National Integrated Protected Areas System (NIPAS). Similar multi-stakeholders bodies are in place in the implementation of agrarian reform and agriculture and fisheries modernization programs.

¹ Interview: CADT 142 (Rosario) IP leaders on 19 August and 03 September 2020.

Purpose of the Concept Note

Sustainable and peaceful management of land is a purpose-driven and process-oriented goal. Achieving the goal in the context of sustainable integrated area development (SIAD) approach to management of public lands is fraught with challenges. Putting together the scale of natural resource degradation and magnitude of competition amidst the state of degradation makes it difficult to find solutions without exploring new approaches.

This concept note proposes the introduction of collaborative management as an approach to local land governance with particular attention to lands that contain common pool resources (CPRs), involvement of local government units (LGUs) and communities nearest to the resource. The proposition is anchored on the underlying problem of complexity in applying SIAD on large-scale settings that involve actors with competing interests and varying hold and sources of power. The concept proposes to break SIAD into manageable chunks that provide incentives for cooperation rather than competition while ensuring the corresponding obligations to sustain beneficial resource flows.

Any new approach needs to confront the following challenges:

- Under what conditions will government actors with overlapping mandates and authorities and land rights claimants with competing interests, needs and strategies enter into a collaborative management framework?
- Up to what extent will formal institutions embrace positive values of informal institutions in aid of collaborative management to ensure integrated and sustainable management of lands?

Historical patterns and existing legal frameworks suggest that allocation of land and other natural resources has been controlled and managed by central governments with limited powers granted to local government units (Gibson and Becker, 2000). The same legal framework prevails in the Philippines where land administration is specifically vested on national land management agencies. Authority given to local government units (LGUs) is on land use planning and, in some cases, co-management of forests and forest lands and development of local conservation areas (LCAs).

In public lands, local communities have few rights over the natural resources with which they live and have little incentive for protecting or using them sustainably unless they form part of deputized wardens that receive allowances. Even in legislated protected areas, the presence of large national and local organizations in the management body does not prevent poaching, unsustainable use and misuse of resources. Much of the problem lies in the largeness of territory to protect, lack of user rights to the resource, administrative reach and enforcement capacity of management bodies and claims of ownership over portions of the protected area itself. The challenge is even bigger in ancestral domains where CADT holders have little means of developing large territories and protecting them from encroachments.

Methodological Approach

The development of the collaborative management concept draws from relevant studies on natural resource management, lessons learned from studies on large and small-scale common pool resources and key informant interviews and focus group discussions with indigenous communities that maintain traditional norms and practices in the management of small-scale common pool resources such as lakes and rivers in Agusan del Sur and Misamis Oriental. The analysis of primary data is based on appreciation of positive results as well as the challenges that threaten the sustainability of traditional practice.

The broadstrokes of the concept have been discussed with RLGGM partners in Misamis Oriental and Agusan del Sur to generate feedback that could inform further development of the concept. The discussions are part of ideation processes with the aim of generating stakeholder acceptance and laying the ground for pilot testing and further elaboration of the concept.

2. Why Collaborative Management?

Public administration reforms have not yet reversed trends in natural resource degradation in forests, watersheds, mineral lands, wetlands, river basins and marine ecosystems. Collaborative public management models, such as the PAMBs of protected areas, are struggling to overcome constraints in managing large territories especially with limited enforcement capacity of Protected Area Superintendents (PASUs). Traditional norms and practices in managing commons, on the other hand, remain isolated and exclusive to indigenous communities.

On larger context, increasing population, urbanization, large-scale extraction, land use change and resource-based conflicts add to the complexity of managing natural resources. Sustainable fulfillment of basic human needs and national economic development need new considerations related to climate and disaster risks. The search for solutions is a race against time. It is time to step up efforts of national government agencies and collaborate with local government units and citizens nearest to the resource rather than exercise authority in top-down hierarchical modality.

The proposition is to introduce collaborative management at the local and micro level of natural resource areas with focus on common pool resources. The same proposition suggests involvement of LGUs and communities of resource users where local participation can fill gaps in the administrative reach and enforcement capacity of the central government. This is a complementary approach that is intended to contribute to rather than compete with existing approaches.

This proposition does not challenge or aim to change the legal framework of land ownership and existing land tenure arrangements and neither prejudice land rights claims and counter-claims. Public and private ownership of land will remain the same. What is proposed is common ownership and collective agency in management and use of common pools that is generated from natural resources such as land (including forests) and water bodies (such as wetlands, lakes, rivers and other bodies of water) with pre-existing property rights.

There might be cases, however, that private landowners may offer unused land as locale for collaborative management of human-created CPRs (such as food or fish production), social entrepreneurship (such as processing or semi-processing of furniture and handicrafts) or as a trading center for auctions of livestock, vegetables and fruits. Several decades ago, some Metro Manila markets were used as common pool (use of space) of vegetable growers from Benguet.²

A common pool could be as simple as access and use of common space where authority rules determine size and time allocation (e.g. hectares or square meters and time of day or days of the week). In rural Philippines there has been a tradition of “tabo”, usually on a fixed day each week, where space (whether public or private) for producers and consumers to meet up and exchange. The “tabuan” (place of the tabo) becomes a pool of the resource (in this case, space for display of commodities and market transactions) that is commonly shared and managed. Although unwritten, there are rules pertaining to management of waste and ways of interaction. The “tabo” tradition has been copied in modern-day markets in Metro Manila and other big urban areas where private properties or public parks are used for weekly “tiyangge” (market day), usually on Saturdays.

Other traditions are thriving in some provincial areas. In Padre Garcia (Batangas), the LGU allocates space for small-scale cattle raisers to auction livestock. Although managed solely by the LGU, the space serves as a common pool for cattle raisers and traders. Benefits accrue to both cattle raisers, traders and the Municipal LGU, which earned PHP 11.8 million in tax revenues in 2018.³ Similar practice has been sustained in Sibalom (Antique) and San Joaquin (Iloilo) where the auction market evolved from the centuries-old tradition of *Pasungay* (bullfighting).

² They failed for lack of proper collaborative management that resulted to lack of regulation and maintenance of markets.

³ See: <https://www.pna.gov.ph/articles/1042712>.

Legal Framework of Ownership and Management of Commons

Presently, there is no explicit legal framework for ownership rights of common pool resources. What we have are laws and policies that bestow usufruct rights or suggest the legitimacy of common property. Public goods like air and water are assumed to be commonly shared but still subject to continuing advocacies (e.g. clean air and clean water) and transformations (e.g. privatization of water supply provision or introduction of technologies such as ionization of air).

The law that resonates common (communal) property is the Indigenous Peoples' Rights Act of 1997 but this is exclusive to indigenous peoples and their governance systems based on customary law. In fisheries, the policy that resonates shared ownership is the government's designation of marine protected areas (MPAs) as a resource generation pool while allowing resource withdrawals based on time and space allocation outside the MPA.

The NIPAs Law is suggestive of common ownership and shared obligations but is heavily biased on collaborative management for protection and conservation with limited grants of access and use rights through the Protected Area Community-Based Resource Management Agreements (PACBRMAs). In the forest sector, the Department of Environment and Natural Resources (DENR) introduced community-based forest management since the mid-1990s. While the policy explicitly introduces usufruct rights over certain portions of forests and forest lands, these rights are granted exclusively to single organizations. Moreover, oversight is also vested on a single national government agency, the DENR. In fact, the administrative distance prevents effective monitoring of mis-use or even privatization of forests.

Outside of the legitimate arrangements for user and resource specific arrangements is the phenomenon of informality of common ownership in open access regimes. However, the existence or absence of formal law does not necessarily illegitimize common law. Agreements entered into by individuals or organizations or between individuals and organizations are essentially forms of law adhered to, as binding, by contracting parties. Sometimes, legal recognition of common law comes after practice as in the case of the State's recognition of common law marriage or the belated recognition of customary law of indigenous peoples as provided for by IPRA.

There are explicit precedents in other countries. In Ecuador, for example, there is a Law of the *Communas* that has been in existence since 1936. One of the major beneficiaries of the law are the residents of the 1,650-hectare tropical moist forest in *Loma Alta* in Western Ecuador (Gibson and Becker, 2000). *Comuna* members enjoy secure common property rights to the area that enable them to craft local institutions such as allowing individual members to make capital improvements on their plots, harvest timber, rent land to others or transfer holdings to family members through inheritance (ibid.). However, property rights alone do not guarantee sustainability. Without authority rules to regulate exploitation, resource will be at risk of

overuse. In the case of *Loma Alta*, some individuals managed their plots well with selective cutting of timber while others shifted to plantation agriculture and cattle raising that led to total clearing of forests (ibid.).

In summary, two intertwined conditions must be in place for collaborative management of commons to function well:

- Boundary rules that determine who is included and who is excluded on the issue of access and benefits; and,
- Authority rules that ensure sustainable and legitimate use of resources.

3. The Concept of Collaborative Management

The concept of collaborative management proposed in this document begins with an understanding of two underlying notions:

One, common property. The conventional notion of common property has been associated with non-property or an open access regime where the property has no owners. The term was originated by British economist William Forster Lloyd in 1833 who used the term “common land” to refer to unregulated grazing land in Britain and Ireland. In an article more than a century later, Garret Hardin (1968) highlighted the effects of unregulated common resources in modern economic context and referred to it as the “tragedy of the commons”.

In the case of the Philippines, the association of commons to open access has engendered illegal and unsustainable practices that resulted to what Hardin describes as “tragedy of the commons”. Open access regimes are acceptable only when the resource does not need to be managed or the demand is too low such that the cost of management far outweighs the benefits (McKean, 2000). One example is the two-hectare Dinawihan Lake in the uplands of Gingoog City (Misamis Oriental) where fish stocks are low and only two percent of 159 households in the barangay are interested in lake fishing.⁴ The same situation prevails in Lunotan (Claveria, Misamis Oriental) where demand for the edible frog population of the Lingon-Lingon Creek is too low and non-competitive.⁵ What they are anticipating is the possible competition between 20 paddy rice farmers and 20 *Tilapia* aquaculture growers when the water of the creek is transformed into a small-scale irrigation system specifically designed for rice farming.⁶

Common property is not necessarily non-property. On the contrary, it is a property-rights arrangement in which a group of resource users share rights and obligations over the resource (McKean, ibid.). It is not open access. It is a shared property right where access is limited only

⁴ Online focus group discussion with barangay leaders of Dinawihan, officers of Gingoog Bay Alliance and other stakeholders, 24 September 2020.

⁵ Ibid.

⁶ Ibid.

to the owners who share the rights, be it government entities, private entities or individuals or a combination thereof. Property rights are an important consideration in collaborative management and an incentive that encourages and promotes responsible stewardship of resources.

Two, common pool resource (CPR). A common pool resource is a type of economic good that serves the economic needs of human beings. This refer to resources such as water, fishes, wildlife or timber, within a property that may be already classified as public or private. They have intrinsic economic value independent of particular property rights (Hess and Ostrom, 2007). Dolšak & Ostrom (2003) that a common pool resource shares characteristics with other resources such as:

- **Subtractability or rivalness.** One person's act of harvesting or adding to the resources subtracts from the ability of other persons to do the same. It is this characteristic that can lead to overuse, congestion or even destruction.
- The **cost of excluding potential beneficiaries** in view of possibility that free-riding beneficiaries will gain benefits without contributing to the cost of adding to the resource and maintaining and regulating the resource.

In the Philippine legal framework, public ownership of land (i.e. public lands) is a bounded right. The word "public" in public lands refer to State management of the land and specificity of access and use is not automatic to any or all citizens. Access and use of public lands need to be vested by the State in the form of law or policy. Even under IPRA, the rights of indigenous peoples over ancestral domains do not preclude State control and management of minerals, timber and protected wildlife species.

To talk about commons (as a property regime) and common pool resource (as a shared resource) is to assume a more holistic vantage point for assessing how to effectively manage a shared resource (Hess and Ostrom, *ibid.*, 28). This is to say that user communities, not investors, are the primary stakeholders of the commons and the common pool resource (*ibid.*, 30). This is also to say that users should be vested rights to define rules and obligations to adhere to those rules.

Small common-pool resources with fewer users are easier to monitor and manage. Large scale common-pool resources with large number of users and mobile resources (such as migratory wildlife, water) are more difficult to monitor and manage and may require sophisticated management and monitoring systems and enforcement mechanisms. The Agusan Marsh Wildlife Sanctuary in Agusan del Sur, for example, is a large-scale common pool that not only has a large number of resource users but is also connected to the global pool of wetlands.

The Concept

Collaborative management is a proposition to best-manage shared economic resources, whether natural resource commons (such as water, watersheds, lakes, rivers, wildlife habitats, marshes, peatlands and others) or human-made additions (such as replanted rattan in forests and forest lands, food plants, honey, etc.). Any shared resource may be categorized as a common pool resource (CPR).

Collaborative management is a management modality that enshrines the **collective agency of organizations**. The most common weakness of traditional management of commons is the primacy of the human agency and the produced and reproduced effects of human action (Haslett, 2012). From a purely rational choice perspective, human agency has the tendency to maximize benefits at lower cost or even total avoidance of cost (in the case of free riders). Historically, this has resulted to the so-called “tragedy of the commons”.

Collective agency of organizations is about strengthening the role of organizations as social systems that take charge of coordination and control of actions carried out by individuals or group of individuals within the organization (ibid., 154). It also seeks to transform organizations into activity system dedicated to a shared goal where members identify themselves with (ibid., 72). In short, collaborative management gives primacy to collective agency of organizations as structural framework that guides the actions of individuals.

As a management system, collaborative management does not replace pre-existing modalities such as coordination systems such as, for example, DAR-DENR-NCIP-LRA Joint Administrative Order No. 01-2012. Neither does it replace pre-existing cooperation systems in natural resource governance such as, for example, development cooperation between the Philippine government and international development agencies and donor countries. More significantly, it does not propose to supplant pre-existing collaborative management models such as the protected area management boards (PAMBs) or local conservation areas (LCAs).

Characteristics

Collaborative management is a unique institutional form that is distinct from spontaneous coordination of markets or conscious management of hierarchy (Agranof and Mcguire, 2003). It is a systematic effort to move forward to a higher level of working relationships (Garber, 2006). It involves a complex sequence of moves and countermoves, adjustments and readjustments and actions and non-actions (Agranof and Mcguire, ibid.). The cornerstone is collaborative thinking (ibid.).

The arrangement is characterized by the following elements:

- Two or more organizations engaged in a formal or informal contractual arrangement;
- The agreement is based on a negotiated arrangement;

- Social and organizational capital in pursuit of a shared purpose (Agranof and Mcguire, *ibid.*);
- Purposive relationship designed to solve problem by creating or discovering a solution within a given set of constraints (*ibid.*);
- Not only collaboration of organizations but also involvement of public institutions, private citizens in governance (Bingham et al., 2015);
- Spirit of collectiveness that is able to manage diversity of opinion, viewpoints and concerns (Garber 2006);
- Predominance of common rather than competing priorities;
- Openness to subject matter experts especially on the science of sustainable management of resources;
- Awareness and sensitivity to gender, culture and religion; and,
- Tolerance for change.

Institutional Design

Ostrom's (1990) studies on successful small-scale common pool resources (CPRs) suggest a rich mixture of public and private instrumentalities rather than centralized regulation or full private property rights vested on one entity. It is not the case that the only way to solve CPR problems is to impose full private property rights or centralized regulation (*ibid.*, 182). In small-scale CPRs, resource users are able to repeatedly communicate and interact in a localized physical setting, organize themselves to gain benefits and avoid harm. Learning who to trust or how one's action impacts on another are important. In the case of the resource users of the Kilobidan Lake (in Rosario, Agusan del Sur) social trust among fellow Manobo users has been built even before IPRA and this trust remains despite the delineation of the territory in favor of the Manobos of Rosario. It is clear to the Manobos of Bunawan and Rosario that the territory is owned by the latter but the common pool resource – the fishes of the lake – are common property.

The management of large-scale CPRs is more difficult, complicated and prone to failure. This happens when parties find it difficult to communicate, enter into binding agreements, jointly enforce rules and choose jointly-beneficial strategies (*ibid.*). The Pacific Sardine CPR is one example of failure in the management of large-scale CPRs. Pacific sardine fishing collapsed and was closed in early 2015 due to over-exploitation on the coasts of Mexico, United States and Canada since 2007 (Shester and Enticknap, 2016). In 2013 alone, coastwide fishing removed 34 percent of the sardine population, more than double the sustainable yield (*ibid.*). Another example is the Antarctic Blue Whale. From a pre-whaling population of 150,000-200,000, only 1,500-2,500 remain in existence (www.whalefacts.org). Whaling countries entered into an international agreement in 1931 and created the International Whaling Commission. In 1986, the Commission imposed a moratorium on whaling but this did not compel other countries (non-parties to the agreement) to abide by the international agreement (*ibid.*).

The proposed collaborative management concept is tailored for small-scale CPRs and takes into consideration the following advantages:

- Smallness of an area, which makes monitoring and enforcement easier and facilitates direct involvement of resource users in management decisions.
- Local knowledge of resource users that can help sensitize the formulation of boundary rules for determining who can use the resource and the limits of resource extraction or withdrawal.
- Involvement of the local government unit (LGU) that compensates for gaps in the administrative reach of central government through national land management agencies.
- Readiness of national land management agencies to coordinate their actions and, based on the “all of nation” approach to governance, bring land administration closer to the heart of communities and ground level reality of land management challenges.
- Sensitization of collaborative management to land and other conflicts, specifically, competing interests and rights claims of resource users.

Operationalization of the concept entails fulfillment of the following requisites:⁷

1. Identification of the area and the CPR in aid of defining the boundary rules.

- Land classification (e.g. public, private, open access)
- Location map and other relevant maps
- Land tenure system and number of land tenure holders and claimants
- Type of CPR commonly shared (pre-existing or potential)
- Number and demography of residents nearest to the resource

2. Management structure that promotes collective agency and collective choice arrangements. This means minimal recognition of rights to organize against the collective management structure.

3. Benefit sharing: proportional equivalence of benefits and costs (of maintenance, regeneration, enforcement and monitoring).

4. Authority rules devised and managed by users, enforceable and with graduated sanctions for violations, clear procedures for revision of rules.

5. Regulatory environment consonant with existing laws and policies and supported by mandated authorities at various levels.

⁷ Adapted from Dolšak & Ostrom, 2003 and Ostrom, 2005.

6. **Availability of grievance and conflict resolution mechanisms and adjudication availability that is low cost.**
7. **Availability of monitoring system for tracking of resource stocks, resource use and compliance to rules and regulations.**

Rules

Rules making in collaborative management of commons is not just about listing of rules and resources that may be copied from existing rules and regulations. As a set of instructions, rules must provide the structure of an action situation in a particular environment (Ostrom, 2005). These rules must be seen from two dimensions:

One, boundary rules. Ostrom et al. (1994:302) cite that boundary rules specify who can appropriate from a common pool resource. They may be recognized formally by governmental authority or legitimized informally by participants of the commons. Legitimation of access to and use of the resource may be based on agreed criteria such as: proximity of residence to the resource, land ownership, organizational members or ownership share in the organization.

A first requirement in initiating collaborative management of a CPR is understanding the ownership rights context of the area where the resource is located. Boundary rules will be shaped by the classification of the area, i.e. whether the area is State property, private property, community property or a State property with an open access regime. Hence, it is important that, at the onset, national land management agencies should be consulted and persuaded to collaborate.

Two, authority rules. This refers to the mandated body, such as a management committee, that has the power to allocate the flow of and access to resource units through mutually agreed time (e.g. fishing season), space (e.g. extraction zone of a lake) and technological capabilities (e.g. type of fishing gear).

Participants or resource users must have shared understanding of the enforced prescription concerning what actions (or outcomes) are required, prohibited or permitted to achieve order and predictability (Ostrom, 2005). Otherwise there will be confusion about what actions are required, permitted or prohibited (ibid.). When confusion occurs, application of rules will heavily depend on enforcement, which could be not only costly but also prone to conflict. Without shared understanding of rules, participants always think of the option to break rules. Lack of shared understanding also create conditions for the presence of the so-called “grim trigger strategies” by which a participant’s continuous adherence to rules is heavily dependent on the adherence of other participants (Ostrom et al., 1994). Once a participant breaks the rule, other participants may decide to defect or break rules thus leading to the collapse of the whole system of rules.

To reiterate, **boundary rules specify who can appropriate** (access and use) the CPR while **authority rules specify the allocation** through designation of space, time and quantitative limits. Boundary and authority rules must have the following attributes:

- They take into account informal norms that have influenced positive behavior of resource users in the past.
- Rules must be nuanced and should be determined in relation to other rules and resources in an on-going practice (Haslett, 2012). This means that new rules must not drastically change existing good practices or rules applied to similar common pools elsewhere.
- Rules must be compatible with underlying physical domains (Ostrom et al., 1994). This means customizing the rules to the type of resource and particularity of the commons. For examples, rules would be more stringent in commons where resources are severely degraded and are still in need of rehabilitation or regeneration.
- Rules should be fair, effective and legitimate and serve as necessary complements to shared norms for sustaining self-governing institutions (Ostrom, 2005).
- Rules must come from resource users rather than externally imposed such that they emphasized voluntary compliance rather than threat of penalty from external enforcers.

Structure

Following the principle of localization and key role of resource users, the structural arrangement of the management body must be contextualized and customized according to type of CPR, state of resource stocks and level of degradation, ethnic identity of resource users, conflict history, readiness of an LGU to play a bigger role and openness of concerned national land management agencies to embrace the concept.

The following table outlines the minimum requires of a collaborative management structure. The components do not suggest a “one-size fits-all” structure. Rather, they serve as a guide on what needs to have in a structure. The actual form of the organizational chart will depend on the collective mind of the participants.

Components of the Structure	Description
Boundary rules	<ul style="list-style-type: none"> • Identification of the area and type of CPR • Clarification of the land classification based on information from the DENR. • Census of residents within the area and identification of resource users. • Inventory of land tenure pattern (formal and informal) and property rights (private and public).
Participants	<ul style="list-style-type: none"> • Resource users, i.e. residents nearest to the resource through their organizations.

	<ul style="list-style-type: none"> • Municipal/city and barangay local government unit (LGU) nearest to the resource.
Number of organizations	<ul style="list-style-type: none"> • At least more than two or as many as the number of organizations (formal and informal) representing user groups, LGUs and relevant national land management agencies.
Organizational structure	<ul style="list-style-type: none"> • Simple and functional structure. • Collective agency of the organizations representing the resource users headed by a management committee. • Advisory Body composed of concerned LGUs and national land management agencies. • Non-necessity of top-heavy conventional structures (such as Election Committee, Education Committee) and corresponding officers (such as Treasurer, Auditor, Secretary, Sergeant-at-Arms, etc.). • The focus of the organization is to allocate the resource and schedule resource use for direct benefits to the users and not for the organization to eearn income and accumulate revenues.
Monitoring	<ul style="list-style-type: none"> • Monitoring system that emphasizes shared responsibility. • Designation of a monitoring team to take charge of recording, reporting and liaisioning with the Advisory Body. • Every user and user location act as point of monitoring with obligation to record and report monitoring data.
Enforcement	<ul style="list-style-type: none"> • Enforcement system that emphasizes voluntary compliance. • Graduated sanctions imposed by the management committee in consultation with the Advisory Body. • Mobilization of grievance and conflict resolution mechanisms in case of contestations, repeated violations and activation of “grim trigger” strategies.
Grievance and conflict resolution mechanism	<ul style="list-style-type: none"> • A sub-committee under the management committee with the participation of a representative from the Advisory Body and a third party actor to act as facilitator (in case of grievance) or mediator (in case of conflict resolution). • The Advisory Body reserves right to intervene in cases where the issue pertains to criminal justice, human rights and environmental rights.

4. Collaborative Management as a Strategy

Struggles for access, control and use of land and other natural resources have been inherently prone to conflict with historical episodes of violence. The same has been instrumentalized in insurgency and rebellion. Even in non-violent settings, land conflicts have impacted on integrity and social cohesion of communities.

Collaborative management has a strategy function. It supports peacebuilding and transformation of land conflicts. While it does not offer to resolve or even suspend resolution and/or transformation processes in land conflicts, it offers an opportunity for competing stakeholders to find spaces – common pool resources – around which they can collaborate without giving up their land rights claims. It is a fact that no shared resource is immune from institutional overlaps of land management agencies and competing claims and interests of land rights holders and claimants. Nonetheless, it is not impossible for competing stakeholders to share a common goal that simultaneously addresses basic human economic and social needs. Collaborative management of commons at the micro level can also be used as a strategy for strengthening the meso and macro functions of protected area management of the PAMBs.

Capacity Development

Collaborative management needs continuous learning and innovation. The Advisory Body should facilitate access to trainings and other forms of capacity development. GIZ-RLGM has existing knowledge products and tools that may be used for developing capacities in dialogue, mediation, conflict sensitivity (including Do No Harm) and nonviolent communication. Members of the advisory body, such as LGUs and the DENR, can also provide access to education and training opportunities for resource assessments (inventory, valuation, etc.), awareness of relevant laws and policies and organizational management.

5. Guidance Notes for Pilot Testing

Any innovation needs to be pilot-tested for social acceptability, institutional validity and economic viability. The following table outlines an 11-step process for pilot testing.

Steps	Process Description	Persons Responsible
1. Socialization and levelling-off on the concept.	Multiple formats for dissemination of the concept. <ul style="list-style-type: none">• Briefings• Consultations• Ideation workshops• Dissemination of the digital version of the concept paper.	To be initiated by an LGU, national government agency,

<p>2. Stocktaking and securing buy-in of stakeholders.</p>	<ul style="list-style-type: none"> • Multi-stakeholder consultation or series of consultations involving national land management agencies (DAR, DENR, NCIP and LRA), regional offices of national line agencies (DILG, NEDA), concerned local government units (LGUs) and community groups (CADT holders and claimants, CBFMA holders, CLOA holders) 	<p>To be initiated by the concerned LGU.</p> <p>The LGU takes charge of securing commitments to proceed with the piloting.</p>
<p>3. Establishment of a local core group as initiators and companions.</p>	<ul style="list-style-type: none"> • LGU-based core group involving offices of planning, agriculture and environment and natural resources. 	<p>To be initiated by the concerned Local Chief Executive.</p>
<p>4. Identification of the common pool and geographic location.</p>	<ul style="list-style-type: none"> • Natural resource pool or a human-added shared resource. • Geographic location (including location map). • Land classification of the area. • List of owners and claimants of the area. 	<p>To be done by the local core group in coordination with concerned national land management agencies and community groups (occupants and claimants).</p>
<p>5. Identification of organizations that will form part of the collaborative management structure.</p>	<ul style="list-style-type: none"> • Organizations representing the resource users. • Concerned barangay and municipal local government unit. • Concerned national land management agency/agencies. 	<p>To be facilitated by the local core group.</p>
<p>6. Consultations and dialogues with resource users and/or communities nearest to the resource.</p>	<ul style="list-style-type: none"> • Appreciative inquiry consultations • Multi-stakeholder dialogues using the Reflective-Structured Dialogue (RSD) approach 	<p>To be facilitated by the local core group in coordination with concerned national land management agencies.</p>

	<ul style="list-style-type: none"> • Focused dialogues with specific groups such as CADT holders and claimants, CBFMA holders, CLOA holders and informal settlers 	
7. Establishment of the collaborative management structure.	<ul style="list-style-type: none"> • Designation of the advisory body consisting of representatives of the LGU and concerned national government agencies. • Designation of the management committee consisting of representatives of organizations that represent the group of users. • Election of officers of the management body. 	Consensus-based structure through dialogue and negotiations.
8. Formulation of benefit sharing arrangements and rules.	<ul style="list-style-type: none"> • Inventory of resource stocks. • Upper limits of individual extraction or benefits and other criteria. • Codification of rules. • User obligations in maintenance and compliance to rules. 	Management meeting assisted by the local core group.
9. Legitimation of collaborative management	<ul style="list-style-type: none"> • Covenant or written declaration of commitment to collaborative management and adherence to internal rules and State laws and policies. 	Assembly of users, management committee and advisory body.
10. Action planning	<ul style="list-style-type: none"> • Formulation of one year plan indicating objectives, activities and outputs. 	Management meeting assisted by the local core group,

	<ul style="list-style-type: none"> Establishment of the monitoring and enforcement system. 	
11. Formulation of the sustainability roadmap	<ul style="list-style-type: none"> Taking off from observed positive results on the 6th month of implementation, the management body shall, beforehand, prepares the draft sustainability roadmap subject to comments and suggestions from the advisory body. 	Joint meeting of the advisory body and management body assisted by the local core group.

References

Agranoff, Robert and Michael Mcguire. (2003). Collaborative Public Management: New Strategies for Local Governments. Washington, D.C.: Georgetown University Press.

Bingham, Lisa Blomgren and Rosemary o’Leary (eds). (2015). Big ideas in collaborative public management. USA: Routledge

Bingham, Lisa Blomgren, O’Leary, Rosemary and Christine Carlson. (2015). Lateral thinking for collaborative public management. In Bingham, Lisa Blomgren and Rosemary o’Leary (eds). (2015). Big ideas in collaborative public management. USA: Routledge.

Cooper, Terry L., Bryer, Thomas A. and Jack W. Meek. (2015). Outcomes achieved through citizen-centered collaborative public management. In Bingham, Lisa Blomgren and Rosemary o’Leary (eds). (2015). Big ideas in collaborative public management. USA: Routledge

Dolšak, Nives and Elinor Ostrom. (eds). (2003). The commons in the new millennium: challenges and adaptation. USA: Massachusetts Institute of Technology

Ehls, Daniel. (2014). Joining Decisions in Open Collaborative Innovation Communities. Hamburg, Germany. Springer Gabler.

Feiock, Richard C. (2015). Institutional collective action and local government collaboration. In Bingham, Lisa Blomgren and Rosemary o’Leary (eds). (2015). Big ideas in collaborative public management. USA: Routledge.

Garber, Peter R. (2006). 51 Activities for Collaborative Management. Massachusetts: HRD Press.

Gibson, Clark and C. Dustin Becker. (2000). A lack of institutional demand: why a strong local community in Western Ecuador fails to protect its forest. In Gibson, C., McKean M., and Elinor Ostrom. (2000). People and Forests. MIT Press: London, England.

Gibson, Clark C., McKean, Margaret, and Elinor Ostrom. (2000). People and Forests. MIT Press: London, England

Gustavesen, Björn. (1992). Dialogue and development. Netherlands: Van Gorcum & Comp.

Hardin, Garret (1968). "The Tragedy of the Commons", *Science*. 162 (3859):1243-1248. (PDF).

Haslett, Beth. (2012). Communicating and Organizing in Context. New York, NY. Routledge.

Hess, Charlotte and Elinor Ostrom. (Eds). 2007. Understanding Knowledge as a Commons. Cambridge, MA. Massachusetts Institute of Technology.

Kolers, Avery. (2009). Land, Conflict, and Justice: A Political Theory of Territory. USA: Cambridge University Press.

Lloyd, William F. (1833). Two lectures on the Checks to Population. England: Oxford University.

Manning, Robert E. (2007). Parks and Carrying Capacity: Commons without Tragedy. Washington, Covelo, London: Island Press.

McKean, Margaret A. (2000). Common property: what is it, what is it good for, and what makes it work? In Gibson, C., McKean M., and Elinor Ostrom. (2000). People and Forests. MIT Press: London, England.

O'Leary, Rosemary and Lisa Blomgren Bingham (eds.). (2009). The Collaborative Public Manager - New Ideas for the Twenty-first Century. Washington DC: Georgetown University Press.

Ostrom, Elinor (1990). Governing the Commons: The Evolution of Institutions for Collective Action. USA: Cambridge University Press

Ostrom, Elinor. (2005). Understanding institutional diversity. New Jersey: Princeton University Press.

Ostrom, Elinor., Gardner, Roy., Jimmy Walker. (1994). Rules, Games, and Common-Pool Resource. Ann Arbor: The University of Michigan Press.

Shester G. and Enticknap, B. (2016). "The Role of Fishing in the Pacific Sardine Collapse." Retrieved from: <https://usa.oceana.org/blog/role-fishing-pacific-sardine-collapse>

_____ "Why are Blue Whales Endangered?," Retrieved from: <https://www.whalefacts.org/why-are-blue-whales-endangered/>

_____ "Batangas town sustains country's 'cattle trading capital' tag. Retrieved from: <https://www.pna.gov.ph/articles/1042712>

List of Persons Consulted through Interviews

Name	Designation	Date and Location
1. Conrado Perez	Head of CADT 142 and members of Bantay Danao	19 August 2020 Rosario (third party interview by Rachel Sitcharon)=
2. Marcos O. Rodrigo	Member of CADT 142	
3. Rodrigo P. Sobrejuanite	Member of CADT 142	
4. Wilmar N. Sequiña	Sabang Gibong Tribal Chieftain and member of CADT 077	20 August 2020 Talacogon (third party interview by Rachel Sitcharon)
5. Remegio P. Quijada	Kagawad of Sabang Gibong and Member of CADT 077	
6. Nicholas P. Lacag	IPMR of Sabang Adgawan and member of Bantay Danao	
7. Abelardo Rodrigo	Member of CADT 142 and member of Bantay Danao	03 September 2020 Online Interview with Rosario IP Leaders
8. Vevencio Sitcharon	Member of CADT 142 and member of Bantay Danao	
9. Conrado Perez	Member of CADT 142 and member of Bantay Danao	

List of Persons Consulted through FGDs

Stakeholder Group	Participants	Date and Location
Talacogon and Loreto IP community leaders	<ol style="list-style-type: none"> 1) Marilyn T. Trasmil, Chairperson of IP Loreto Agusan Marsh Sectoral Association (IP-LORAMSECA) 2) Wilhelmo Goloran, Sabang Gibong IPMR and member of CADT 077 3) Juliana H. ESCRIN, member of CADT 090 and member of IP-LORAMSECA 4) Juvy S. Tagaroma, member of CADT 090 and member of IP-LORAMSECA 5) Delia R. Ellaran, member of CADT 090 and member of IP-LORAMSECA 6) Alecia P. Lozada, member of CADT 090 and member of IP-LORAMSECA 7) Nena M. Umpad, member of CADT 090 and member of IP-LORAMSECA 8) Soriano O. Montes, member of CADT 090 and member of IP-LORAMSECA 9) Saviniano M. Reyes, member of CADT 090 and member of IP-LORAMSECA 	03 September 2020 Online

	10) Rodilla L. Cerna, member of CADT 090 and member of IP-LORAMSECA	
Gingoog Bay Alliance (GBA) and Community Partners from Dinawihan, Lunotan and Bal-ason	<ol style="list-style-type: none"> 1. Genevieve Cruz, GBA Coordianator 2. Alex Vergara, CENRO 3. Helen Vergara 4. Ronald Ampatin, CENRO Staff 5. Robelio Macamay, Brgy. Chair, Dinawihan 6. Theo Tacandong, GBA Liaison staff 7. Lolita Simborio, former Brgy chair of Lunotan 8. Elvira Salinas, GBA staff 9. Vicente Camo-Camo Jr., Gingoog Mayor's Office 	24 September 2020 Online
